

DECLARATORY

Improvement Res. No. 1050-1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes across parts of the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 Inclusive in Larcom Place Addition to the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

Resolution Adopted:

April 10, 1961

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

June 15, 1961

B. O. 51-'61

Sewer - 129-'61

DECLARATORY RESOLUTION NO.1050-1961

For the Condemnation of a permanent right of way for
Sewer easement and utility purposes across parts of the
North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East,
Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in
Larcom Place Addition to the City of Fort Wayne; and
Lots 33, 34 and 39 in Sylvan Park Addition, Section "B"
to the City of Fort Wayne, all in Allen County, Indiana.
AMENDED, deleting Condemnation on Indiana & Michigan Electric
Company property. The Indiana & Michigan Electric Company
agree to grant Sewer Easement through said property.

PLANS ORDERED:

ADOPTED: April 10, 1961

ADVERTISE NOTICE TO PROPERTY OWNERS: April 14 & 21, 1961

HEARING ON CONFIRMATION: Thurs., May 4, 1961 at 3:30 p. m.
Notices mailed: April 18, 1961

CONFIRMED: AS AMENDED: May 4, 1961

ASSESSMENT ROLL ORDERED: May 4, 1961

ASSESSMENT ROLL APPROVED: May 17, 1961

ADVERTISE NOTICE TO NON RESIDENTS. May 20 & 27 & June 3, 1961

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., June 15, 1961, 3:30 p. m.

NOTICE SERVED: June 2, 1961

ASSESSMENT ROLL CONFIRMED: June 15, 1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes across parts of

The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Allen County, Indiana:

Also, the East 7 feet of the South 745.5 feet of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East, and the West 7 feet of the South 745.5 feet of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 14 feet of the North 523 feet of the West 710 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the East 14 feet of the West 710 feet of the North 523 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 7 feet of Lots 44 to 48 inclusive; the South 7 feet of Lot 51 and the North 7 feet of Lots 52 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne;

Also, the North 7 feet of Lot 33, the South 7 feet of Lot 34; and the South 7 feet of the East 71 feet of Lot 39, all in Sylvan Park Addition, Section "B" to the City of Fort Wayne.

except for that part thereof recorded as permanent easements for sewer and utility purposes.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes shall be assessed against the property beneficially affected there by.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes is described as follows: The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and

1050

Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS 4 DAY OF May 1961

P. G. Knobbe
J. N. Lombard
W. Ward
BOARD OF PUBLIC WORKS

ATTEST:

Pennington McElroy
CLERK

DECLARATORY RESOLUTION No. 1050 1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes across parts of

The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to, the City of Fort Wayne; and Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Allen County, Indiana:

Beginning at a point 25 feet West and 54 feet North of the Southeast corner of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East; thence Northerly a distance of 36 feet to a point on the East line of said tract; thence Westerly a distance of 24 feet to a point on the North line of said tract; thence Southeasterly a distance of 43 feet $\frac{1}{2}$ or - to the point of beginning:

Also, the East 7 feet of the South 745.5 feet of the Northwest $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East, and the West 7 feet of the South 745.5 feet of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 14 feet of the North 523 feet of the West 710 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the East 14 feet of the West 710 feet of the North 523 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 30 North, Range 12 East;

Also, the South 7 feet of Lots 44 to 48 inclusive; the South 7 feet of Lot 51 and the North 7 feet of Lots 52 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne;

Also, the North 7 feet of Lot 33, the South 7 feet of Lot 34; and the South 7 feet of the East 71 feet of Lot 39, all in Sylvan Park Addition, Section "B" to the City of Fort Wayne.

except for that part thereof recorded as permanent easements for sewer and utility purposes.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes is described as follows: The North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East; Lots 44 to 48 inclusive and Lots 51 to 59 inclusive in Larcom Place Addition to the City of Fort Wayne; and

Lots 33, 34 and 39 in Sylvan Park Addition, Section "B" to the City of Fort Wayne, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the North $\frac{1}{2}$ of Section 25, Township 30 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS 10 DAY OF April 1961

L. F. Lombard
J. Lombard
Frank
BOARD OF PUBLIC WORKS

ATTEST:

Kenneth McGraw
CLERK

CHRISTOFF & SNOUFFER

ATTORNEYS AT LAW

1000 FORT WAYNE BANK BLDG.

FORT WAYNE 2, INDIANA

JOSEPH CHRISTOFF
RICHARD I. SNOUFFER

TELEPHONES
ANTHONY 8235 AND 8236

June 13, 1961

Department of Public Works
City Hall
Fort Wayne, Indiana

Attention: Mr. Kenneth McGraw
Re: Declaratory Resolution No. 1050-1961

Dear Sir:

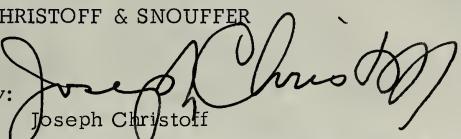
Mr. and Mrs. Carl D. Hower have brought to me the notice of benefits and assessments and agree to concur in same if, but only if, you will correspond with me and indicate by letter that there will be no additional assessments or levies of any kind in connection with the sewer or easement of the same, except the usual and normal tapping-in fee and on the further condition that the premises are restored to the original condition.

Very truly yours,

CHRISTOFF & SNOUFFER

By:

Joseph Christoff



JC:ld

cc: Mr. & Mrs. Carl D. Hower

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

43-19-3

B. O. 51-161

Date May 4, 1961

To City Engineer

Subject Dec. 1050-1961

CONFIRMED as AMENDED.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List
cc: Mayor Burns

NOTED

P. F. R.
 J. D. L.
 B. W.

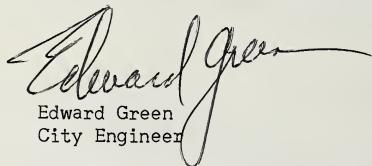
Date

Signed

Reply:

May 15, 1961

Assessment roll of benefits and damages completed and attached.


Edward Green
City Engineer

DEB:ld
attach.

RECEIVED
MAY 16 1961
RECEIVED

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING
DEPT. OF STREETS

DATE May 3, 1961

NOTED

TO: Board of Public Works

P.F.R.

SUBJECT: Board Order No. 51-1961

J.D.L.

B.W.

Date

5/3/61

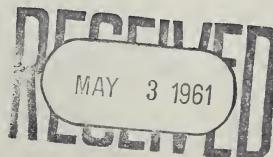
A modified resolution is completed and attached for Declaratory Resolution No. 1050-1961 which provides for the condemnation of right of way for sewer easement purposes, in connection with Main Sewer Resolution No. 129-1961.

The reason for the modification is that Indiana and Michigan Electric Company wishes to grant a voluntary easement for their property. A letter from I & M to this effect is also attached.

We recommend that the resolution be confirmed as modified at the hearing on confirmation May 4, 1961.

Edward Green - D.S.
Edward Green
Chief Engineer, City Utilities

DEB:ld
attach.
cc: Mayor Burns



INDIANA & MICHIGAN ELECTRIC COMPANY
2101 SPY RUN AVENUE
FORT WAYNE, INDIANA

May 3, 1961

Board of Public Works
City Hall
Fort Wayne, Indiana

Subject: Declaratory Resolution 1050-1961

Honorable Members of Board of Public Works:

This is to advise that the Indiana & Michigan Electric Company will grant an easement for sewer purposes on the above subject project, as required by the City Engineers' Office and as indicated on City Utilities Dwg. No. SY-10611, Sheet 2.

The easement required by the City of Fort Wayne is located on the west side of Hanna Street, immediately south of Lot #1 to Westchester Addition to the City of Fort Wayne, over property owned by Indiana & Michigan Electric Company.

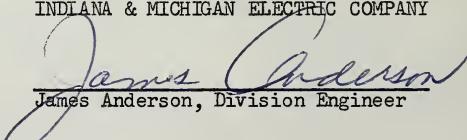
This easement will be granted under the terms of a similar easement previously approved by the City Attorney.

The purpose of this letter is to delete our property from a condemnation proceeding scheduled for May 4, 1961, at which time property of the Indiana & Michigan Electric Company, as well as other property, is to be condemned for sewer purposes.

We assume our property was included among those being condemned for R/W for sewer purposes through an oversight. You may recall that we previously agreed verbally to grant easements where required for sewer purposes over lands owned by Indiana & Michigan Electric Company so long as the grant did not interfere unjustly with our operations.

Yours very truly,

INDIANA & MICHIGAN ELECTRIC COMPANY


James Anderson, Division Engineer

JA/cs

CC: R. E. Trovinger
E. P. Kreimer
Edward Green - City Engineer
P. S. Sidney-Smith - Chief Sewer Engineer

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, April 18, 1961

1050

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
~~Declaratory~~ pass Improvement Resolution No. 1050-1961 providing for the ~~condemnation of Right of Way for Sewer Easement Purposes~~
~~in connection with Main Sewer Resolution No. 129-1961.~~

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed.....
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTED

P.F.R.
 J.D.L.
 B.W.

Date _____

AUG 9 1961

RECEIVED

August 8, 1961

Mr. G. L. Bridgewater
Indiana & Michigan Electric Company
2101 Spy Run Avenue
Fort Wayne, Indiana

Subject: Farwood Sewer Project - Declaratory Resolution No. 1050-1960

Dear Mr. Bridgewater:

In reply to your letter of June 13, 1961, relative to the above subject, wish to advise that this instrument was recorded by us on August 3, 1961 - 8:36 a.m. in the office of Richard Hartman, Allen County Recorder.

Very truly yours,


P. S. Sidney-Smith
Chief Sewer Engineer

gk

cc: Mayor Burns
Board of Works
Mr. Edward Green

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, April 18, 1961

1050

To..... Jacob E. Schwartz

Fort Wayne, Indiana.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
pass **Declaratory** ~~Improvement~~ Resolution No. 1050-1961.....
providing for the **condemnation of right of way for sewer easement purposes**
in connection with Main Sewer Resolution No. 129-1961.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed **Thursday, May 4, 1961 at 3:30 p.m.**.....
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

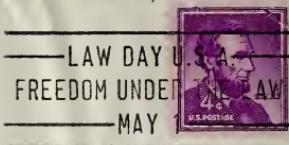
You are hereby notified that

Space - Former I & M R/W west of Decatur Road in N.E.
1/4 Sec. 25-30-12 E,

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

BOARD OF PUBLIC WORKS
CITY HALL
FORT WAYNE 2, INDIANA



RETURNED FOR BETTER ADDRESS
INSUFFICIENT ADDRESS

RECEIVED
APR 19 1961

ENGINEERING
DEPT. OF STREETS

DATE April 6, 1961

NOTED 4

TO: Board of Public Works

P.F.R.

SUBJECT: _____

J.D.L.

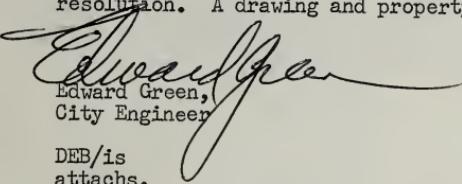
B.W.

Date

4/10/61

Declaratory Resolution No. 1050-1961 which provides for the condemnation of right-of-way for sewer easement purposes, in connection with Main Sewer Resolution No. 129-1961, is completed and attached.

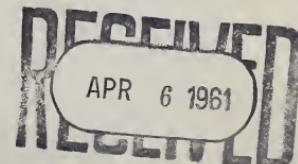
Please notify this office what Board Order number is assigned to this resolution. A drawing and property ownership list are also attached.


Edward Green,
City Engineer

0 51

DEB/is
attachs.

cc: Mayor Burns
P.S. Sidney-Smith



SOUTH SIDE SUBURBAN

SHOEMAKERS
ADD.

SQUIRES 2ND ADD

SYLVAN PARK

PLACE ADDITION

AMENDED

ADDITION

LARCOM

PLACE

SYLVAN

BITTERSWEET
GARDENS

ADDITION

ADD

LIECHTYS ADD
2ND ADD



HOME GARDENS ADD

E LINE NW
1/4 SECT. 25

J&M RW

DECLARATORY RESOLUTION
NO. 1050
FOR SEWER EASEMENT
& UTILITY PURPOSES
PERMANENT EASEMENTS
TO BE ACQUIRED

SCALE 1" = 200'
3-29-61 CDH

SQUIRES 2ND ADD

SOUTH SIDE SUBURBAN

PLACE ADDITION

SYLVAN PARK

AMENDED

ADDITION

LARCOM

PLACE

SYLVAN

PARK

BITTERSWEET
GARDENS

ADDITION

LECHTYS 2ND ADD



E LINE N.W.
1/4 SECT 25

J&M RW

HOME GARDENS ADD

DECLARATORY RESOLUTION
NO. 1050
FOR SEWER EASEMENT
& UTILITY PURPOSES
~~PERMANENT EASEMENTS~~
TO BE ACQUIRED

SCALE 1:200
3-29-61 C.D.H.

Improvement Resolution No. 050-196 For The Condemnation Of Right Of Way For Sewer Easement

Purposes In Connection With Main Sewer Resolution No. 129-1961

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	INDIANA-MICHIGAN FLEET CO.	9101 Taylor Ave					SPACE - 1 1/2 M R/W WEST OF HANNA
2							STREET & SOUTH OF LOT #1, WESTCHESTER
3							ADD. IN N.W. 1/4 SEC. 25-30-12 E.
4	✓ FIRST SECURITIES CORP.	812 W Jefferson					SPACE - 99' X 660' IN S.E. CORNER
5							OF N.W. 1/4 SEC. 25-30-12 E.
6	✓ JEWISH ORTHODOX CEMETERY	816 W Jefferson Ave					SPACE - S.W. OF DECATUR RD. IN
7		902 W 80th Ave					N.W. 1/4 SEC. 25-30-12 E.
8	✓ SCHWARTZ, JACOB & ESTHER	1255 - Sunset					SPACE - FORMER 1 1/2 M R/W WEST
9							OF DECATUR IN N.E. 1/4 SEC. 25-30-12 E.
10	✓ RICE, JOS. O & A. M.	6502 Decatur Rd					SPACE - S.W. OF DECATUR RD. IN
11							N.E. 1/4 SEC. 25-30-12 E.
12	✓ HOWER, CARL D. & H. M.	6512 Decatur Rd					SPACE - S.W. OF DECATUR RD. IN
13							N.E. 1/4 SEC. 25-30-12 E.
14	✓ YACHTHORP, BOB & SLOAN	6507 Decatur Rd					SPACE - N.E. OF DECATUR RD. IN
15							N.E. 1/4 SEC. 25-30-12 E.
16	✓ FELT, HERMAN C. & L.	1811 Monroeville					SPACE - N.E. OF DECATUR RD.,
17							EAST OF HISTONE DR., & SOUTH OF
18							HOLLIS LN. IN N.E. 1/4 SEC. 25-30-12 E.
19	✓ DENNER, HENRY L. & DONNA M.	6220 Winchester Rd		44			LARCOM PLACE ADD.
20		"		45			
21		"		46			
22		"		47			
23		"		48			
24	✓ LAHMAN, WOODROW C & HILDA J.	1324 Farwood		51			
25	✓ MAY REALTY, INC	90 W. 4th Street		52			
26		4616 Lafayette St		53			
27		"		54			
28		"		55			
29		"		56			
30		"		57			
31		"		58			
32		"		59			
33	✓ DAJEN-ORT, JAMES D & IMO I.	130 W. Grand Lane		33 - W.181'			SYLVAN PARK ADD., SEC. B.
34		"		34 - \$18.5' F W.181'			
35	✓ CLINKENBEARD, HAROLD NELSON & WILLODEAN	3282 Warsaw St		33 - E.90'			
36		"		34 - \$18.5' F E.90'			
37	✓ KERR, JOSEPH L. JR.	1650 Ventura Lane		39 - E.71'			
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61	NOTICES MAILED OR SERVED						
62	April 18, 1961						
63	By Mary Blank						
64							
65	N. 2d P. O.						
				TOTAL			

1050